

502 KAR 11:010. Application for license to carry concealed deadly weapon.

RELATES TO: KRS 237.110

STATUTORY AUTHORITY: KRS 16.080,, 237.110(7)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 237.110(7) requires the Department of Kentucky State Police to establish the application form for a license to carry a concealed deadly weapon. This administrative regulation establishes the application form and procedures.

Section 1. Definitions. (1) "Application form" means the "Commonwealth of Kentucky Carry Concealed Deadly Weapons/LEOSA: Application for License."

(2) "Department" means the Department of Kentucky State Police.

Section 2. (1) Application forms shall not be stored in an area accessible to the public.

(2) Except as permitted by Section 10 of this administrative regulation, an application form shall not be removed from the office of the sheriff.

Section 3. An application form shall be identified by a unique number that shall be:

- (1) Expressed on the application form as a bar code that contains the application number;
- (2) Used as the identifying number for the applicant; and
- (3) Machine and human readable.

Section 4. A sheriff shall issue an application form to an applicant and accept an application fee if:

- (1) An applicant meets the requirements established by KRS 237.110 (4)(b), (c), and (i);
- (2) Unless exempted by KRS 237.110(6) and (7), an applicant has submitted the material required by KRS 237.110(7);
- (3) Verification that an applicant is a resident is made by:
 - (a) Submission of a valid Kentucky operator's license or personal identification card issued by a circuit court clerk pursuant to KRS 186.412;
 - (b) Personal knowledge of the sheriff; or
 - (c) Confirmation by another governmental agency;
- (4) Verification of an applicant's Social Security number is made by the submission of:
 - (a) The applicant's Social Security card; or
 - (b) A governmental agency document that contains an applicant's name and Social Security number;
- (5) Verification of an applicant's age is made by submission of:
 - (a) An item specified by subsection (3) of this section; or
 - (b) A birth certificate or other evidence of birth issued by a governmental agency; and
- (6) Verification of an applicant's U.S. immigration status is made by submission of a completed CCDW License Citizenship/Immigration Status Affidavit (KSP 131) if the applicant has indicated on the application form that the applicant is not a U.S. citizen.

Section 5. An applicant who is exempt from the training requirement established by KRS 237.110(4)(i) shall submit documentation establishing that he or she:

- (1)(a) Was a peace officer on the date of his or her retirement; and
- (b) Is a member of a retirement system specified by KRS 237.110(6)(a);
- (2) Is currently certified as a peace officer by the Kentucky Law Enforcement Council pursuant to KRS 15.380 to 15.404; or

(3) Is a current or retired peace officer of one (1) of the federal agencies listed in KRS 237.110(6)(b).

Section 6. Completion of Application Form. An applicant shall:

- (1) Complete an application;
- (2) Sign the application in the applicant signature block of the application form in ink;
- (3) Provide the information required by KRS 237.110(7)(a) through (e) on the application form;
- (4) Not fold or tear the form;
- (5) Use a black ink pen to complete the form;
- (6) Not mark or otherwise make an entry in the "For Sheriff's Dept. Use Only" portion;
- (7) Fill each bubble completely;
- (8) Fill in or enter information, as appropriate, within a column block or bubble;
- (9) Write within the constrained areas; and
- (10) Use upper case (capital) letters.

Section 7. The sheriff shall complete the lower right hand portion of the application form titled "For Sheriff's Dept. Use Only" by:

- (1) Completing the ORI Number;
- (2) Filling in the date of application;
- (3) Indicating if the applicant is an active or retired peace officer or a judicial officer in accordance with KRS 527.020(5)(a)1. to 4.; and
- (4) Signing in the portion labeled "Authorizing Official Signature."

Section 8. If an applicant fails to follow the instructions for completion of an application, the sheriff shall:

- (1) Destroy the improperly completed application; and
- (2) Require the applicant to complete a new application form.

Section 9. The sheriff shall place the following material in a single applicant packet:

- (1) The applicant's completed application form;
- (2) A photograph of the applicant complying with the provisions of 502 KAR 11:020;
- (3) The CCDW License Citizenship/Immigration Status Affidavit (KSP 131) if the applicant has indicated on the application form that the applicant is not a U.S. citizen;
- (4)(a) A photocopy of the certificate of completion, or notarized affidavit of completion, of the training or safety course or class required by KRS 237.110(4)(i); or
(b) Material provided by an applicant to the sheriff establishing that the applicant is exempt from the training requirement on the grounds that he or she is:
 1. Currently certified as a peace officer by the Kentucky Law Enforcement Council pursuant to KRS 15.380 to 15.404;
 2. A current or retired peace officer of one of the federal agencies listed in KRS 237.110(6)(b) and successfully completed the basic law enforcement training course required by that agency; or
 3. A retired peace officer and is a member of a retirement system specified in KRS 237.110(6)(a); and
- (5) Material provided by an applicant to the sheriff establishing that the applicant is exempt from payment of the application fee pursuant to KRS 237.110(7).

Section 10. (1) The sheriff shall mail single applicant packets to the department:

- (a) In a bulk mailer; and
- (b) On dates established by the "CCDW - LEOSA Application Mailing Schedule for Sheriffs."
- (2) The sheriff shall pay the cost of mailing a bulk mailer.

Section 11. (1) If the department issues an original license pursuant to KRS 237.110(4), it shall:

- (a) Transmit the license to the sheriff; and
- (b) Send an Issuance Notice to the applicant, informing him or her that the license is being conveyed to the sheriff of the county where the applicant resides and what date the license will be available from the sheriff.
- (2) The sheriff shall issue the license to the applicant upon:
 - (a) Verification of the identity of the applicant by:
 - 1. Submission of a valid Kentucky operator's license or personal identification card issued by a circuit court clerk pursuant to KRS 186.412; or
 - 2. Personal knowledge of the sheriff; and
 - (b) Signature on the Issuance Notice by the applicant in the presence of the sheriff or the sheriff's designee.

Section 12. Incorporation by Reference. (1) The following material is incorporated by reference:

- (a) "Commonwealth of Kentucky Carry Concealed Deadly Weapons/LEOSA: Application for License", November 2009;
- (b) "CCDW - LEOSA Application Mailing Schedule for Sheriffs", July 2006;
- (c) "CCDW License Citizenship/Immigration Status Affidavit", KSP 131, January 2011; and
- (d) "Issuance Notice," December 2008.
- (2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Department of Kentucky State Police, 1266 Louisville Road, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m. . (23 Ky.R. 2342; Am. 2717; eff. 1-9-1997; Recodified from 503 KAR 6:020, 11-8-2006; 33 Ky.R. 1694; 2289; eff. 3-9-07; 38 Ky.R. 681; 908; eff. 12-2-11.)